WARDMANREFUSES TO ANSWER

to acquit or exonerate Justice Hooker. This is a direction that interferes with the duties of the jury.

Senator Raines said that the article did not charge brilery.

"No." said Mr. Tompkins, "but the charge of bribery has been made ever since last January, and we up to the present time haven't paid any attention to it."

Mr. Rogers also took up the cudgels in favor of the newspaper organ of Chairman Odell. He said that there were many papers that had printed matter adverse to Bribe Members in Hooker's Interest.

ALEANT, July 14 .- With the statement that he believed there had been an attempt to bribe members of the Legislature in the Interest of Justice Warren B. Hooker, and that the Delaware and Hudson Railroad Company was interested in keeping him on the bench, Ervin Wardman, editor of the New York Press, carried off the honors to-day when placed on the witness stand. Mr. Wardman is now in danger of having to undergo punishment for refusing to furnish the information desired by such sterling members of the Legislature as John Raines of Canandaigua, James T. Rogers of Broome, Arthur C. Wade of Chautauqua and Edgar T. Brackett of Saratoga.

torneys for the State Bar Association enjoyed the discomfiture in which the others were placed by Mr. Wardman's testimony. Mr. Wardman was brought to Albany to give the authority for a story under an Albany date line, which appeared in the columns of his paper on July 12. The Legis'st re knows no more now than it did before about who wrote the story or from whom the information was secured

Under Senator Brackett's questioning it was brought out from Mr. Wardman that for the last ten days he had been on his vacation and that he had only returned to New York
yesterday in order to be served with the
summons to come before the bar of the
Legislature. Mr. Wardman did not seem in and that he had only returned to New York the least afraid of the Legislature. He was first called to the stand at the morning seseion. He denied any knowledge of the erticle or whence it had come or who had written it and for the benefit of the Legislature said that possibly Managing Editor Honnessy might know, and if he didn't hight Editor Scott might know, and if they didn't know, possibly one of the thirty or forty subordinates might know, but he didn't know, and before coming to Albany hadn't thought about ascertaining who

Senator Brackett asked if he had given the Hooker matter some consideration, and he said he and Mr. Hennessy had conferred on it several weeks ago. He said he had information at the time that he thought Mr. Hooker would be removed, but Mr. Hennessy had informed him that he had had trustworthy information that things had been fixed to prevent Mr. Hooker from being removed. Then Senator Brackett demanded to know where the information came from.

The fight to save Justice Hooker. Mr. Wade's testimony was almost in the nature of a speech defending Justice Hooker's connection with the Wirtner judgment roll. He said he hadn't been sent to see Justice White as Justice Hooker's attorney, although he was representing him as such before the sub-committee of the grievance committee of the State Bar Association. Mr. Wade was permitted to relate conversations which he had had, he said, with people who were not present. Under the usages of court procedure and practise this would not have been allowed. Mr. Coman interposed objections. Senator Brackett asked if he had given

"I can't answer that," said Mr. Wardman. "It is one of the ethics of our profession never to betray a confidence, and if a newspaper man should betray a confidence he would not be able to hold his position, and I decline to answer.

Senator Brackett insisted, and Mr. Wardman persisted in his refusal to answer. Senator Brackett appealed to the president of the joint session, and Lieut.-Gov. Bruce to answer. The legislators, by a vote of 369 to 31, decided that he must answer. But Mr. Wardman didn't. It was thought that Mr. Wardman would be punished for contempt forthwith, but Senator Brackett didn't make such a motion. He proceeded of the fact of the

"What corporation?"
"I don't see why I should have to answer that," replied Mr. Wardman. Then, to the surprise of every one, he added: "But it was understood that it was the Delaware

and Hudson Company."

Lewis E. Carr. one of Mr. Hooker's attorneys, who is the regular attorney of this company, looked angrily at the witness and bit his cigar all the harder.

"That is a failroad company?" suggested
The examination of witnesses concluded until Tuesday. Mrs the wife of the Justice, is to be the stand to tall about the note.

Senator Brackett.
"It is," and Mr. Brackett finished and took a seat back of the table.

Then Mr. Wade took a hand in it. He went at Mr. Wardman as if he expected to

break down his reserve and compel him to tell.

"Isn't it true that the Press has been opposed to Mr. Hooker?" he asked.

"Oh, no; we didn't pay much attention to the case until after the report of the Assembly Judiciary Committee had been made, and then we thought that after that had been given to the public it was time that Mr.

given to the public it was time that Mr. Hooker should get off the bench." "Mr. Wardman, will you, between now and 3:30 o'clock, get into communication with Mr. Hennessy and do your best to find out the author of tho: o articles?" Mr. Wade

"I will ask Mr. Hennessy, but I don't think he will tell me," replied Mr. Ward-

"Can't you compel him to?"
"Ch, I might give him the choice of "Oh, I might give him the connection with

ing or of severing his connection with the paper, but I will not do that."

Mr. Wardman was called to the stand again after 4 o'clock, but he had not been

able to learn who the author was.

"I asked Mr. Hennessy and he declined to tell me, as I thought he would," he said. Then, after much sparring, Mr. Wade said, with a smile playing across his face:
"Now, do you believe in your own heart that any attempt has been made to bribe any member of the Legislature?" His entire manner showed that he excted a negative answer, and he therefore

pected a negative answer, and he therefore was not prepared for the reply, which was:
"I am bound to say I do."
This created a sensation. Mr. Wade glowered at the witness and Senator Raines's brow became clouded. Leader of the Assembly Rogers sat in open mouthed astonishment. Finally Mr. Wade recovered from his astonishment and asked:
"Where did you get your information?"

"Where did you get your information?"
"I decline to answer," Mr. Wardman re The same question was put to him in various forms with the same result. Then the Legislature again voted to compel the witness to answer, but again he refused.

Things grew serious. Senator Raines grasped his blue book, Mr. Wade grabbed a code and Mr. Rogers wanted the fitty-fith New York State report. These powerful legal minds discussed for some minutes legal minds discussed for some minutes just what could be done with the witness and what they should do. They probably couldn't think of any worse punishment than to compal him to attend the than to compel him to attend the remaining sessions of the Assembly, and he was told that he would have to be on hand Monday

that he would have to be on hand Monday night at 8:30 o'clock. Mr. Wardman said he would be there.

Assemblyman Tompkins (Tam.), said that if the members of the Legislature understood that this summons to comto reconsider the motion by which he was so directed. He made the motion to re-consider, and the statesman from Canan-daigua moved that the motion lie on the

Previous to the calling of Mr. Wardman Assemblyman Tompkins of New York created a sensation by saying:

"I hold in my hand a paper called the Newburgh News, of July 12. If one newspaper editor is to be called before the tar of the Legislature to show cause why he shouldn't be punished for contempt. I move that the editor of this paper, Frederick W. Wilson, he summoned before the har of the Legislature. I call attention to the language of the editorial in this paper, in which it calls upon the members of the Legislature.

Odell. He said that there were many papers that had printed matter adverse to Justice Hooker.

"Yes," answered Mr. Tompkins, "and there are some in the western part of the State that have been printing matter in his behalf, and we are receiving copies of them."

them."

Senator Brackett asked Mr. Tompkins to withdraw his motion, but Mr. Tompkins said: "It isn't the article so much that I am concerned over as it is that I would like to learn the source from which it emanates."

Senator Brackett said that people generally understood that he of late wasn't taking orders from Newburgh. Then Senator Elsberg came to the rescue of the Odellorgan and moved that Mr. Tompkins's motion lie on the table. This was carried.

Aside from the newspaper incident the most interesting feature of the session was the cross-examination by Judge Coman

was the cross-examination by Judge Coman It was very noticeable that the attorneys for Justice Hooker took a most interested part in the examination of Mr. Wardman, while Judge Henry B. Coman and the attorneys for the Steak Bar Association and he was called to the stand to tell how nice and regular everything had been in the securing of the judgment, which prac-tically gave to Stearns and Hooker fourteen feet of the City Hall Park in Dunkirk. This is the judgment secured by them, and which last fall Justice White of Buffalo, who granted the judgment two years before, insisted upon having vacated. Justice White was present and sat right behind Senator Raines. He listened with some surprise to Mr. Stearns's direct examination.

In regard to the charge made by Justice White that Justice Hooker had approached him and asked him to hear the case, and that there would be no serious contest,

Mr. Stearns said

that he had figured quite prominently in preparing the case. But when it came to cross-examination by Mr. Coman, he said he hadn't paid any attention to the matter. he hadn't paid any attention to the matter.

Mr. Coman asked him why he, as a lawyer, had supposed that he could get an affirmative judgment without giving notice when he was a codefendant with the City of of Dunkirk in this action and the city was not represented. Mr. Stearns didn't know.

To the surprise of all, Assemblyman Wade took the stand in behalf of his client. This caused not a little comment, for the reason that he had begged off from acting for the people be was to represent as a member. people he was to represent as a member of the Legislature and threw himself into the fight to save Justice Hooker. Mr.

and practise this would not have been allowed. Mr. Coman interposed objections, but they were overruled by the chair. Mr. Coman did not cross-examine him.

Miss Nellie Saxton, the stenographer in the office of Mr. Stearns, was the last witness of the day. Her testimony was of no importance. importance.

At the opening of the trial to-day Mr. Stanchfield moved to have the charges against Justice Hooker dismissed, but Lieut.-Gov. Bruce promptly denied the

Mr. Stanchfield then went into the case put it to a vote of the Legislature as to whether Mr. Wardman should be compelled to answer. The legislators, by a vote of section of the Constitution it is proceeding under. Mr. Stanchfield took the position that the accused Justice was not before the Legislature with counsel and the right

the Legislature with counsel and the right to produce witnesses as a favor, as had been asserted by Cheirman Fish of the Assembly Judiciary Committee. He declared that Hooker was before the Legislature as a constitutional right.

He devoted considerable attention to the right of the members of the Assembly Judiciary Committee to sit and take part in the trial. Lieut.-Gov. Bruce called his attention to the fact that he had already ruled on that point, but Mr. Stanchfield proceeded, asserting that they should not be there and pointed out that a Grand Jury never sits at a trial. He concluded that part of his argument by stating that he was part of his argument by stating that he was only calling attention to how self-respecting

The examination of witnesses cannot be concluded until Tuesday. Mrs. Hooker, the wife of the Justice, is to be called to the stand to tell about the note which she indorsed for Frank P. Ball. Justice Hooker is also to go on the stand.

TAKES NO ORDERS FROM ODELL? Relations Between Hizzins and Odell Said

ALBANY, July 14 .- Gov. Higgins has a last, it was declared to-day, taken a stand which may result in strained relations between Higgins and Odel. Gov. Higgins, it is said refused to appoint a certain political friend of Mr Odell as a member of the State Lighting Commission.

This was after Mr. Odell returned from Europe, and when he heard that Gov. Higgins was determined to be Governor without outside interference he set about reasserting his position as the State Repub-

Mr. Odell determined that he could best do this by taking a stand on some important public question on which Gov. Higgins already had a nounced his attitude. Mr. Odell decided that to demand a legislative investigation of the affairs of the Equitable Life Assurance Society would afford the best vehicle toward that end and caused the publication of the evidence in the Equitable investigation and followed it up with his Newburgh interview. Mr. Odell evidently figured that such a course would put Gov. Higgins and Supt. Hendricks in a hole and compel them to seek his advice in extricating

themselves. But in this Mr. Odell made a mistake The result of the publication of the Equitable testimony and the Odell interview only served to strengthen Gov. Higgins's opinion that Mr. Odell is not a safe adiser on questions of party policy. Mr. Odell never could have been elected chairman of the Republican State committee when he supplanted Col. George W. Dunn without the tacit consent of Supt. Hen-

It is sufficient to say now that neither Gov. Higgins nor Supt. Hendricks has any further use for Mr. Odell, either personally or politically. Of course they not make open warfare upon Mr. Odell, according to present plans, yet, on the other hand, his advice will neither be sought nor followed. The Governor and Supt. Hendricks know that Mr. Odell is not de-manding a legislative investigation of the Equitable in the interests of the policyholders, but is acting at the instigation of Edward H. Harrinan, who hopes to drive the present management out of the Equitable

present management out of the Equitable through such an investigation.

Gov. Higgins to-day declined to make any comment on the published statements regarding the alleged treachery shown his administration in the publication of the testimony taken by St. Intendent of Insurance Hendricks in the Equitable investigation. He declared that nothing new had developed in the matter to cause him had developed in the matter to cause to change his attitude in any way. Governor does not expect to receive any further light on the matter at present, having no conferences scheduled with any of those most directly concerned in the investigation. Supt. Hendricks is still at his home in Syracuse, and at the Insurance Department it is not definitely known when will be in Albany again, but it will not



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#### BENDER'S CAMPAIGN FUND.

STATE FISCAL SUPERVISOR ON TRIAL AT ALBANY.

Employees Testify to Turning Over to Him 2 Per Cent. of Their Salaries Alleged That One Who Didn't Was Discharged -Woman Stenographer Gave Up 527.

ALBANY, July 14 .- The charges against the department of the State Fiscal Supervisor, who is Harry H. Bender of this city, treasurer of the Albany county Republican committee, were before the State Civil Service Commission yesterday. The

charges are that employees of that department have been requested to contribute moneys to the Republican campaign fund, in violation of Section 24 of the State civil service laws. In particular it was alleged that during the last campaign Edwin A. Doty, a bookkeeper employed in Supervisor Bender's department, was requested to make a campaign contribution, that he refused and that some time subsequent to that event he was discharged from the State service for alleged mistakes made in his work.

The State commission was requested by the Civil Service Reform Association to make an investigation of the charges, and today was the time set for the consideration of this request. Nine witnesses were sworn, including Mr. Doty, whose testimony was along the lines of his affidavit, in which it was charged directly that Bender was guilty of a crime. The other eight witnesses were all employees of Bender's department. They were J. B. Kilburn, an inspector of heating; William B. Wemple, estimate clerk; C. I. Van Lieu, assistant estimate clerk; J. W. Ennis, confidential inspector; Edward C. Eaton, page; Mrs. May F. Kelly, statistician; Miss Caroline Christie, stenographer, and George W. Hobbs, chief clerk.

The testimony produced showed that in

almost every case while the witnesses paid "voluntary" contributions in some way it was found out that the amount needed was 3 per cent, of the salary of the contributor.
Miss Christie, the stenographer, told of

laying \$27 on the desk of the secretary to Supervisor Bender and of some time after-ward finding a receipt from him on her deek. Some of the winesess admitted that they had been spoken to by the secretary about their contributions, but said that the conversation was more in the way of a suggestion than a demand. Mrs. Kelly said that she sent her contribution directly to the State committee.

amount was a fixed percentage of his salary and that such percentage was 3 per cent. He produced two of his checks. One of them was made out to the secretary and indersed by him, and the other, a substitute for the first, had been made out to

Major George W. Hobbs, the chief clerk gave the impression that he was an unvilling witness. It was shown by his willing witness. It was snown by his testimony that he made a contribution last fall by check which amounted to 3 ner cent. of his salary of \$2.500. Major Hobbs admitted that he had paid the money directly to Bender. He was asked to produce his checks, which he did, and the heck was for \$75, made out to cash. witness said he got his receipt from Mr. All the attaches of the office paid toward

the campaign except the page, who testifled that he was not yet of age. with the affidavit made by Mr. Doty, which make a strong case against the State Fiscal Supervisor, are to be transcribed an deent to Bender and his secretary, with a request that they notify the State Commission when they will be ready to present their defense. As soon as Bender and his secretary are neard from a date for the con

tinuance of the hearing will be set.

The law makes it a misdemeanor for a public efficer to collect campaign assessments and Pender's removal from office by Gov. Higgins is to be demanded.

POWERS OF GAS COMMISSION. Gov. Higgins Believes it Can Fix the Pries of Gas in This City.

ALBANY, July 14.—Gov. Higgins was asked to-night if he entertained any doubt of the power of the State Gas Commission to fix the price of gas to be charged consumers in New York city. He said he did not think New York city. He said he did not think there could be any question of the ultimate power of the Gas Commission to fix the rate to be charged, but he had been advised that the question would probably be carried to the highest court of the State and to the United States Supreme Court. The object of passing the 80 cent gas bill, the Governor said was to eliminate from the Governor said, was to eliminate from the probable litigation the question of the authority of the commission to fix the price. If the price had been fixed by the Legislanuestion would have been

DOUGLAS IS OUT OF IT. Prefers Leisure to the Duties of Governor of Massachusetts.

BOSTON, July 14 .- Gov. Douglas said today that his decision that he would not be candidate for renomination was fixed. The statement was made to Congressman John A. Sullivan, who called on the Governor upon another matter and incidentally took the opportunity to tell the Governor that he hoped he would reconsider his decision and would yet consent to become the candidate. Mr. Sullivan assured the Governor that he believed if he would but consent to another nomination he would be reelected.

Gov. Douglas admitted that he believed irmly that if he were a candidate again e would be elected, but his decision had been made some time ago. Public life, with its cares and responsibilities, had not proved sufficiently attractive to him at his age to compensate for his desire to live quietly at home with his family. He wanted his leisure for himself and

domestic interests.
lov. Douglas will meet the committee Gov. Douglas will meet the committee of the Democratic leaders on July 24 to hear their arguments as to why he should again be a candidate.

# A NATURAL PASS

in the mountain range that divides the East from the West is at Little Falls, N. Y., where the four track line of the New York Central, the double track line of the West Shore, the Erie Canal and the Mohawk River pass through this range on a

This is one of the things that Nature has done for the New York Central lines, and this is one of the reasons why the press of two continents refers to the New York Central as

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For a copy of " Where Health and Pleasure Wait," which is No. 2 of the New York Central's "Four-Track Series," send a two cent stamp to George H. Daniels, General Passenger Agent, Grand Central Station, New York.

PRESIDENT SEES STEVENS.

First Meeting With the New Chief Engineer of the Panama Canal-Views by Shonts. OYSTER BAY, N. Y., July 14 .- Theodore P. Shonts, chairman of the Panama Canal

Commission, and J. F. Stevens, the new chief engineer, were entertained at luncheon by President and Mrs. Roosevelt at Sagamore Hill to-day. This was the first meeting of the President with the successor to J. F. Wallace. Mr. Stevens is going to stay some time on the Isthmus, so the President wished to meet him before he leaves. The conference which followed

the luncheon was of a general nature. It is now certain that the canal will be transferred to the charge of Elihu Root, in whose ability to direct the work of construction to a satisfactory conclusion the President has boundless confidence.

"We wont really begin the work of con-struction," Mr. Shonts said, "until we have perfect facilities to handle the men. We mean to have proper houses for them to live in and proper sanitary arrangements, pure water, hygienic food and so on. And last, but not least, we mean to have proper arrangements for their recreation.

"For the first time in its history the United States Government is going into the amuse-

States Government is going into the amuse-ment business. We have already secured a man who will draw a salary and make a business of organizing the recreations of the men. He will organize clubs and estabthe men. He will organize clubs and estab-lish a system of reading rooms and do everything for that end of the life of the laborers. I expect to take that man down with me when I go to Panama. We shall have to have laborers from the tropics, inured to a climate of the Panama kind. We find, for instance, that the strapping fellows from the rice fields of southern China make excellent workmen for the canal."

canal."

In regard to the tales of sickness, Mr. Shonts said: "Right here let me tell you that all the facts with regard to the work, sickness and health in the Canal Zone will be published by the Government. The people have a right to know the truth."

Mr. Shonts and Mr. Stevens left Oyster Bay on the 4:20 train. Mr. Shonts went to his hope in Greenwich. Conn. prior to

his home in Greenwich, Conn., prior to sailing for the Isthmus. Thomas W. Hynes, Auditor of Porto Rico, was also a guest at luncheon at Sagamore Hill to-day.

COTTON MEN PLEASED. President Jordan Says They're Gratified

at Clearing Up the Scandal. Harvie Jordan of Atlanta, president of the Southern Cotton Growers' Association, came to this city yesterday morning. He was accompanied as far as Washington

Mr. Jordan said that he was pleased with the progress made in rectifying conditions in the Bureau of Statistics.

"Our association," he said, "has proved its case and made good its charges. Natur-ally the members of the association are ally the memorrs of the association are pleased, for it means much to them that there be an honest market price for cotton. However, it is not a sectional matter; the whole country is interested from the fact that cotton is our greatest money crop. Walter C. Hubbard, president of the New New Cotton Feedbard and this state.

York Cotton Exchange, made this state-ment, yesterday regarding his letter to President Roosevelt. "I have never written to Secretary Wilson and my letter was not the sequel to any correspondence with him conducted by my brother, Samuel T. Hubbard, when president of the New York Cotton Ex-

"My note was prompted simply by the recent revelations and had for its purpose

solely to make a clear statement of the attitude of our exchange." CADDY'S EYE PUT OUT. Son of E. C. Benedlet's Gardener Injured

by Elkanah Mead. STAMFORD, Conn., July 14.-Dr. Meek of this city was called to the Greenwich Emer-

gency Hospital to-day to remove the eye of Willie Eckmann, the ten-year-old son of ohn Eckmann, gardener for Commodore The operation was successful and a glass eye will be substituted. Willie lost his eye through a desire to caddy on the Indian Harbor Golf Club links. near his home, where he had been forbidden to go. A week ago he was watching the to go. A week ago he was watching the golfers from a stone fence, when Elkanah Mead, whose brother is Belcher Mead, an official in the Standard Oil Company's New York office, called upon him and asked him if he could caddy.

him if he could caddy.

Mr. Mead was a new member of the club, Mr. Mead was a new member of the club, and did not know that Willie had been for bidden the grounds. The boy jumped at the chance, said he knew how to caddy, and stood some feet from Mr. Mead while he made his preliminary strokes with the club. With the first swing of the club to gage the position, Willie started on a run toward the player, and the return swing of the club hit him over the right eye, puncturing it and knocking the boy senseless. Mr. Mead took care of the lad, and is standing all the expense. The father relieves him of all responsibility, as the boy had disobeyed him when he went caddying.

Robert B. Eider of Verona, N. J., a Newark insurance man, died yesterday morning in the City Hospital at Newark, after lying unconscious for seven days as the result unconscious for seven days as the result of an accident in which his skull was fractured. Mr. Elder, who was more than 61 years old, jumped upon a moving trolley car, whose gates were closed, on Saturday, and was thrown into a ditch, striking his head upon a water pipe. He is survived by his wife, a son and a daughter. Mr. Elder was a veteran of the civil war and a member of the Loyal Legion. For many years he was connected with the Domestic sewing machine manufactory in Newark, and subsequently became a real estage and insurance agent.

Peter John Downing, son of the late George T. Downing of Newport, R. I., died on Thursday at his home, 376 Putnam avenue, Brooklyn. He was for many years in the United States customs service. His wife, who is a sister of Jerome B. Peterson, American Consul at Puerto Cabello, Venezuela, and two daughters survive him.

william Cheney, senior deacon of the Bed-ford Heights Baptist Church in Brooklyn, died on Thursday in his nineticth year. He had been prominent in the Baptist denomina-tion on Long Island for the pass fifty years.

#### **CLEANING HOUSE IN SARATOGA**

THE DEMOCRATIC MAYOR STARTS AN INVESTIGATION.

The Investigators Find That All But One of the Departments Have Been Loosely Managed, and Bring Charges for Removal Against Two Commissioners.

SARATOGA SPRINGS, July 14 .- Because the Republicans thought they had a walkover at the last municipal election many of them stayed a way from the polls, with the result that Caleb W. Mitchell, younger son of the late and notorious Cale Mitchell, for two or three terms Mayor of Saratoga in the good old days, was elected to the Board of Trustees, from Senator Edgar T. Brackett's own voting district, Young Mitchell's election made possible the choice by the Board of Trustees of a Democratic president of the village. James D. McNulty, a high class young Democrat, was chosen as the new Mayor.

Shortly after his election President McNulty began an investigation of his own into the various village departments, which resulted in the appointment, at a meeting of the village taxpavers a few weeks ago. of a committee of fifteen to investigate all the departments and, if any were found, to "turn the rascals out."

The committee had for its chairman Robert F. Milligan, a former president of the village and one of the wealthy residents of the place. The committee's report was made public to-day, and it was regarded of so great local importance that the Saratogian got out an extra in which the report was published.

According to the report, about the only one of the village departments which has been so managed as to win the approval of the committee is the fire department. Most of the others are severely scored. The committee finds that the expenses of the village could be cut from \$201,000, the amount of last year's budget, to \$125,000 without taking away from the efficiency of the village government. The committee recommends that the curtailment should be made in the police department, in the sewer, water and street department and in the Board of Education.

Regarding the police department, the report says that "it appears that members of the force in excess of the number allowed by law, except in cases of emer-

lowed by law, except in cases of emergency, have been kept on the payroli of the department from last fall all through versation was more in the way of a suggestion than a demand. Mrs. Kelly said that she sent her contribution directly to the State committee.

Estimate Clerk Wemple swore that the secretary had suggested to him that he make a payment. He admitted that the amount was a fixed percentage of his salary and that such percentage was 3 per cent. He produced two of his chapter of the country and that such percentage was 3 per cent. able sum for immediate use should be kept on hand, but there seems to be no reason why so large a sum should be kept, and all in excess of immediate need should be turned over to the Receiver of Taxes to the credit of the police department."

Frank Wells, the Superintendent of Public Works, was called to testify before the committee and asked to produce all books of accounts relating to his department. The commissioner produced a book regarding which the report says:

ment. The commissioner produced a book regarding which the report says:

"An examination of the book and the entries contained in it, which seem to be all in the same handwriting and made about the same time, led to the belief that the book had been copied from other sources, and the book itself did not seem to be out of the stationer's hands more than a few months. On examination of the superintendent it appeared that he had another book from which these entries had been copied, and by direction of Magistrate he subsequently produced that book. It was found that some fifteen pages from about the middle of the second book had been cut out. The superintendent testified that those pages contained the account with the village of the president of the sewer, street and water commission or Douglas C. Moriarta, and his excuse for mutilating his record was that it also contained some entries of a personal

In conclusion, the report makes the follow ing recommendations:
"The committee believes that the acts "The committee believes that the acts of the president of the sewer, street and water board justify the bringing of charges for his removal from office and that the same applies to the commissioner who acted as the committee in the purchase of the

boiler, bought for thawing out street hydrants, above referred to."

The two commissioners referred to are Dr. Douglas C. Moriarta, one of the leading surgeons of northern New York, and Malcolm G. Annis, a hardware merchant.

Following the report of the committee, Fred W. Gardiner, secretary of the Tax-payers' Association, acting for himself and in his official capacity, filed seven specific charges against Dr. Moriarta and Mr. Annis, and asks that the board of trustees remove them from office. The board of trustees has fixed July 19 as date for hearing the charges and

TOBACCO GROWERS COMBINE. Fighters of the Trust Can Pay Subscriptions

With the Weed. LEXINGTON, Ky., July 14.—The report of the committee of tobacco growers on plans for forming an organization to fight the tobacco trust is published here to-night in

the organ of the farmers. It says: "It is a permanent organization with a capital stock of \$1,500,000 that is to be subscribed for and taken at par. This stock is to be divided into common and preferred the preferred being an 8 per cent. cumul ative stock. It is to be so arranged as to let the grower have his choice, it being intended that to a great extent he can pay for his subscription in tobacco.

"It must be understood that in order to make a beginning a certain amount of stock must be subscribed for and a certain amount paid in cash. The committee has decided that at least \$250,000 of the capital stock be subscribed for at once with the understanding that 10 per cent. of the subscription be paid in cash. The \$250,000 is divided into thirty-four parts and allotted to thirty-four counties in Kentucky and

The name of the new concern is to be the Kentucky and Ohio Burley Tobacco Growers Company.

# The Wanamaker Stone Store Closes at 12 o'clock

Men's Negligee Shirts at 50c

A fine new lot just received yesterday, made of excellent madras, in all the most desirable colorings of the season-blue, pink, brown, tan, grav and heliotrope, in many different shades. All are nicely made, over our own model. All fresh, new and nicely laundered. All have separate cuffs. Splendid shirts at little cost for the hot weather days that require so many All regular sizes. 50c each.

### Women's Summer Skirts

At \$2.50, worth \$5 \* At \$4, worth \$7.50 At \$3.50, worth \$10 \*. At \$6.50, worth \$12

Carefully tailored skirts that set well over the hips, and hang with a graceful, stylish flare. All but the second lot are bran-new for this selling. And they are new

Linen, mohair-all light and dashing and trim.

At \$2.50, worth \$5-Men's-wear mixtures, light weight. Goves are plaited, and finished with tabs.

At \$3.50, were \$10 -Colored linens and canvas weaves; full-planted orty-three plaits.

At \$4, worth \$7.50 - Mohair, in black, blue and gray. At \$6.50, worth \$12-White linen; sixty-three side plaits; stitched Second floor, Breadway.

The SHOES You Want Here are full supplies of exactly

he shoes wanted for summer holidays and business days. Prompt service and best satisfaction at WANAMAKER'S.

Here are a few suggestions: Women's \$2 to \$3 Oxfords at \$1.80. Women's Oxfords at \$2, worth \$3. Men's Tan and Black Oxfords at \$1.90, worth \$2.50.

worth \$1.50. Rubber-soled Sneakers for men and boys, 't 75c to \$1.25.
Children's White Duck Button Shoes,

children's White Duck Blooming, reliable suits in 1th assertions 7 to 2, at \$1, worth \$1.50.

Small Children's White Duck Gibson
Ties, welted soles; sizes 6 to 8, \$1.50.

Barefoot Sandals—the best sortwelted soles; sizes 5 to 10½, at \$1 and \$1.25.

Fourth avenue.

Second floor, Broadway.

The Stock of Bathing Suits Is Kept Complete

We judge the season for Women's Bathing Suits by the actual, not the

Therefore women who haven't bought the new suit and "scarcel" expect to find good styles in the Men's Rubber-soled Oxfords at \$1, stores, this late in the season" will be delighted.

Equipped with new, stylish, becoming, reliable suits in full assort-

JOHN WANAMAKER Formerly A. T. Stewart & Co., Broadway, Fourth ave., 9th and 10th sts.

### BELMONT VICTIM IS KNOWN.

WIFE OF A POLISH BARBER WHO HAS GONE WEST.

She Had Drawn Her \$400 Savings-He Redeemed One of Two Tickets Which He Had Bought for Passage to Los Angeles-The Police on His Track.

Boston, July 14-John Schidlofska, & Polish barber, husband of the woman found murdered on the grounds of the Arlington Golf Club in Belmont yesterday, has succeeded in eluding the polce and there is no telling when he will be captured.

Suspicion fell upon the man when a detective visited Brockton late last night and found that both he and his wife had left the city. Mrs. Schidlofska's descrip-tion fitted that of the murdered woman, and when they learned that she had withdrawn her savings, amounting to about \$400, and turned them over to her husband for the purpose of paying the expense of moving to Los Angeles, the officers concluded that the motive for the murder was

Later developments show that the man Later developments show that the man was having a correspondence with a woman in Los Angeles, and the officers have reached the conclusion that the barber was anxious to get rid of his wife. Schidlofska became acquainted with his wife last February through a matrimonial advertisement. She was 38 years old, ten years his senior and had accumulated a few hundred dollars by working in the Brockton Hospital as a demeatic.

omestic. Schidlofska and his wife left Brockton on Wednesday morning and came to Boston. The husband called at the barber's union and applied for a travelling card for use in Los Angeles, saying that his name was John Kline. Then he purchased two through tickets for Los Angeles. From that time unt'l the next day, his movements are unknown. On Thursday morning he appeared at the union headquarters and obtained his card. An hour later, he called at the ticket office and redeemed one of the railroad tickets. This act the police regard as very suspicious. The husband called at the barber's union

The man took the through train for The man took the through train for Chicago by way of the Boston and Maine Railroad at 12:50 yesterday afternoon, just forty minutes before the body of his wife was found. That he did this is known from was found. That he did this is known from the fact that a coupon from his ticket has been returned to Boston showing he went at least as far as Rotterdam Junction. Chief Shaw of the State police did not wire the Chicago police to arrest the man until the Chicago police to arrest the man until late this afternoon, after the train was due to arrive in Chicago. The chief eays he thought it best to allow the suspected man time to reach Los Angeles before arresting him. The body of the murdered woman was identified by a number of women to-day. They said she had expressed her disapproval. joing to California several times one has been found who saw the Belmont at any time Wednesday.

Bernard Strauss, the Missing Brooklyn Boy, Found in Newburgh.

NEWBURGH, July 14 -- Bernard Strauss, the young son of a real estate dealer in Brooklyn, who has been missing for the last twelve days, was found walking down Broadway, this city, to-day by Policeman Oulton. The young man had shown signs of dementia and had been sent to Coldenham, nine miles back of this city, with the hope of improving his condition. He was detained by the police and his family

Donnybrook Shirt Every thread a linen thread.

Every button pearl.

But Frightened His Wife With a Pist -He Had Banked Money in the Morning. Mrs. Lena Gerber, the wife of a med of 461 Bushwick avenue, William went to the Hamburg avenue police on Thursday night and said tha she returned from shopping on The afternoon she surprised a stranger i ing her rooms on the fourth floo man drew a revolver and threatened her if she made an outery. Cover with the revolver he backed into the and finally ran into the hall and re-Mrs. Gerber's screams brought bors. Detectives went to the bo Mrs. Gerber, who had made an in tion, told them that \$500 lelonging husband was missing from a She described the intruder as years old, smooth shaven and wear clothing. It was late when Mrs. husband returned home, and we learned of her experience he told

had taken the \$500 that she then been stolen to a bank on Thursda ing and deposited it The police suspect that the rman who about two months ag Mollie Meisel, the wife of a facturer, in her home at 200 Hop Mrs. Meisel only recently reco

ITALIAN LABORER MURDIRED. His Body Placed on a Railroad Track

her injuries

Cut to Pieces - \$200 Missing CANANDAIGUA, N. Y., July 14. A bedy, or portions of it, was four tracks of the Northern Center of the Pennsylvania Railroad at 4 four miles south of here, to-day Warner ascertained that the dea Luperto Ferrari, a young Ital with the section gang who dwe near where his body was body had been mutilated by a long, clean gash was found over the right eye and a sm a bullet wound, which went t and bone, was found on the is known the man had two en are under suspicion. Ferrari thought of and industrious man. iar circumstance is that \$200 te had is missing.

YOUR AILMENT IS NATURE'S REPROOF. To overcome that ailment

## You require Nature's Assistance. **ENO'S 'FRUIT SALT**

IS NATURE'S OWN REMEDY, and an unsurpassed one. It is peculiarly adapted for any constitu tional Weakness of the Liver, possesses the power of reparation when digestion has been disturbed or lost, and places the invalid on the right track to Health.

A WORLD OF WOES is avoided by those who keep and use ENO'S 'FRUIT SALT. NO FAMILY SHOULD EVER BE WITHOUT IT.

Prepared only by J. C. ENO. Ltd. 'PRUIT SALT' WORKS, London. S.E. Eng., by J. C. ENO'S Patent.

Wholesale of Kessra E FOUGERA & Co., 26, 28, and 30, North William Street, New York.

CAUTION .- Examine the Capsule and see that it is marked ENO'S FRUIT SALT. otherwise you have the sincerest form of flattery-INITATION.